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MAY 16 2011

DEPARTMENT OF
WATER RESOURCES

May 16, 2011

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WATER RESOURCES
WESTERN REGION

Steve Lester
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

Subject: Application for Permit 61-12256

Dear Steve,

On March 16, 2010, the Idaho Department of Water Resources (IDWR) requested additional information to support Application for Permit 61-12256. Intermountain Sewer & Water Corporation (Greg Johnson) is the applicant.

On November 20, 2010, IDWR granted an extension to complete submittal of the information requested in March, contingent on the following benchmarks:

1. Submittal of a letter on or before **December 31, 2010** summarizing what work (if any) has been done to produce the requested information, and explaining how any outstanding information will be produced,
2. Submittal of a letter on or before **March 15, 2011** summarizing progress in obtaining the requested information, and
3. Submittal of all requested information on or before **May 16, 2011**.

The first letter was submitted on December 31, 2010. The second letter was submitted on March 11, 2011, thus the first and second benchmarks have been met. This correspondence is submitted on behalf of Mr. Johnson and Intermountain Sewer & Water Corporation to comply with IDWR's request for additional information as detailed in the March 16, 2010 and November 20, 2010 letters to the applicant (Item 3 above). The requested information is provided under headings which summarize each component of IDWR's request. We are providing some of the same information previously submitted in the December 31, 2010 and March 11, 2011 letters (where appropriate) in an effort to provide a complete response to IDWR's request. The information is provided in the order of IDWR's original questions.

1. *Provide information showing why application 61-12256 for an expansion of the project should be considered when it appears the applicant has not complied with the project construction requirement of the original phase of the project under 63-32225.*

The applicant intends to develop a planned community in both Ada County and Elmore County (including approximately 6,000 homes), and is currently proceeding with planned community entitlements through Elmore County (see Item 9 below).

The applicant believes that 63-32225 will either be fully developed (2,000 homes), or reach the end of the authorized development period in the amount of time required for approval of 61-12256 (4,000+ homes). In the event that 61-12256 is denied, the applicant will need time to secure water rights, or construct facilities to import water to support full build-out of the development. Therefore, it is prudent for the applicant to initiate processing and seek approval of 61-12256 during the development period of 63-32225.

The applicant has received an approved drilling permit for a monitoring well to be constructed on the Ada County side of the development (a copy is provided as Attachment A). Construction by Stephens & Sons Drilling is expected to begin in May, 2011. A public drinking water supply well will be constructed after receiving an approved permit from the Idaho Department of Environmental Quality (see Item 8 below).

2. *Provide credible information that the additional water development proposed in 61-12256 can be completed and beneficially used within a five-year period, particularly since 10.0 cfs under 63-32225 should be developed and used prior to any development under 61-12256.*

The applicant understands that if development of the use described in Permit 63-32225 is not complete prior to the expiration of its development period, a water right license will be issued for the completed portion. The additional permit (61-12256) may be required to continue development of the planned community at that time. In addition, the additional permit is required to provide authorization to drill wells in Basin 61.

3. *Confirm that none of the proposed rate of flow in 61-12256 will be dedicated only to fire protection. Alternately, the application should be amended for separate municipal and fire protection uses if necessary.*

As stated on the application, fire protection flows will be provided from storage reservoirs. None of the proposed rate of flow will be dedicated solely for fire protection.

4. *Demonstrate an adequate, sustainable ground water supply is available, and demonstrate the proposed use of ground water will not result in further ground water level declines in the Mountain Home Ground Water Management Area or the Cinder Cone Butte Critical Ground Water Area.*

We are providing an assessment of available ground water supply in the Mayfield Springs area as an attached *Memorandum* by Dr. Christian Petrich, dated May 16, 2011.

5. *The proposed wells are within the Mountain Home Ground Water Management Area (GWMA) and not far from the Cinder Cone Butte Critical Ground Water Area (CGWA). Demonstrate the proposed use of ground water will not result in further groundwater level declines in the GWMA and the CGWA.*

We are providing information concerning the effects of the proposed use on groundwater level declines in the GWMA and CGWA in the attached *Memorandum* by Dr. Christian Petrich, dated May 16, 2011.

6. *Discuss plans to monitor and report data about ground water supply, ground water levels, and ground water quality in and around the project area if 61-12256 is approved and development proceeds.*

A proposed monitoring plan is outlined in the attached *Memorandum* by Dr. Christian Petrich, dated May 16, 2011.

7. *Discuss the cumulative effects of ground water development under the existing permit (63-32225), this new application (61-12256) and all projects senior in priority to 61-12256 in the so-called "I-84 Corridor".*

An analysis of aggregate and cumulative pumping under Application 61-12256, 63-32225, and other nearby projects senior in priority to Application 61-12256 is provided in the attached *Memorandum* by Dr. Christian Petrich, dated May 16, 2011.

8. *Describe how the applicant intends to become a municipal provider for the expanded service area under I.C. 42-202B, specifically with respect to the Idaho Department of Environmental Quality (IDEQ) and/or the Idaho Public Utilities Commission.*

The water delivery system developed under Permit 63-32225 and Application 61-12256 will be owned by the applicant (Intermountain Sewer & Water Corporation), which will operate the municipal water supply system for the Mayfield Springs development.¹

¹ Our December 31, 2010 response identified Mayfield Springs Water Company as the likely operator of the Mayfield Springs water system. The applicant now intends to qualify Intermountain Sewer & Water Corporation as the municipal water provider for the Mayfield Springs Development.

SPF previously submitted its *Public Water System Well Engineering Report, Well Site Evaluation* and *Well Specifications* to IDEQ for the public drinking water supply wells authorized by Permit 63-32225. Those documents were approved on January 23, 2007. SPF recently prepared and submitted IDEQ-required updates of those reports, and is waiting for final approval prior to applying for a well drilling permit for a production well from IDWR. After drilling of the municipal supply well(s) is complete, the applicant will continue to comply with IDEQ's requirements in order to become an authorized municipal provider at the Mayfield Springs site.

9. *Describe the applicant's progress with any required local government approvals.*

The applicant continues to actively pursue a permit for the Mayfield Springs Planned Community with Elmore County. A final hearing before the Elmore County Planning and Zoning Commission is scheduled for June 12, 2011. The applicant anticipates approval of the planned community application by the end of 2011.

Sincerely,



Roxanne Brown
Sr. Water Right Specialist

cc: Greg Johnson

SPF Job No.: 329.0051

63
Form 235-1
09/2010

Drilling Permit No. 912419-861069
Drilling Permit I.D. Tag No. D0059151
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources
APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. **Property Owner (please print):** Greg Johnson - The West Park Company, Inc.

2. **Current Mailing Address:** P.O. Box 344

City: Meridian State: ID Zip Code: 83680 Telephone: (208) 888-9946

3. **Proposed Well Location:** Twp. 1 North, Rge. 4 East, Sec. 28, 1/4 SE 1/4 SE 1/4
(10) (40) (160)

Gov't Lot No. _____ County Ada Lat. _____ Long. _____

Street Address of Well Location NE of Desert Wind Road, 3/8 mile SE from Indian Creek Road City Mayfield
Give at least name of road + Distance to Nearest Road or Landmark

Lot, block and subdivision _____

4. **Proposed Use of Well: (Note: Any well drilled for a Public Water Supply requires prior DEQ approval.)**

☐ DOMESTIC (42-111a): The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd.

☐ DOMESTIC (42-111b): Any other use if the diversion rate does not exceed 0.04 cfs (18 gpm) and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial ☐ Public Water Supply
☐ Commercial ☐ Other _____
(Describe)

☐ INJECTION

☒ MONITORING: A well bore schematic and map is required. No. of proposed wells: one

5. **Well Construction Information:**

A. ☒ New well ☐ Modify ☐ Deepening ☐ Replace Previous Well # _____

B. Proposed Casing Diameter 6-inch Proposed Maximum Depth 1100 feet

C. Anticipated bottom hole temperature:

☒ 85°F or less
(Cold Water Well)

☐ 85°F to 212°F
(Low Temp. Geo. Well)

☐ 212°F or more
(Geothermal Well)

6. **Construction Start Date:** May 16, 2011

7. **Drilling Company Name:** Stevens and Sons Driller's Lic. No. 153

NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's Signature:** [Signature] Date: _____

Title: _____

Address (if different than owner): Stevens and Sons Well Drilling, 3709 Hawthorne Drive

City: Boise State: ID Zip Code: 83703 Telephone: 208-344-0726

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WATER RESOURCES
WESTERN REGION

D0059151

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED Date 5/12/11


If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one(1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare, which may be required before construction of the well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit and the well ID tag at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state, or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho. If the well being drilled is associated with approved water right(s) use of the well must comply with conditions of said water right(s).
7. If the depth of this well exceeds 500 feet or the well is in an area known to have LTG water, bottom hole temperature must be measured and recorded on the Driller's Log, and reported on the Well Driller's Report.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller shall contact the Department immediately.
9. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.
10. The stainless steel I. D. tag must be securely and permanently attached to the well casing by the Driller upon completion of the well, and prior to removing the drill rig from the drill site and must remain permanently attached above ground level for the life of the well. The well tag shall be attached by welding at least 3 sides or using four (4) stainless steel, closed-end pop rivets.
11. Any well being replaced by a new well shall be properly abandoned by the well driller prior to removing the drilling equipment, unless otherwise authorized by the department.

SPECIFIC CONDITIONS:

Well construction must be consistent with Attachment I.



Signature of Authorized Department Representative

**SENIOR WATER
RESOURCE AGENT**

Title

Receipt No. WD39200 Received by SB Fee \$75.00 Date 5.6.11

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____